

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Auto-Owners Insurance Company,

Civil No. 09-1407 (RHK/AJB)

Plaintiff,

ORDER

vs.

Kottkes' Bus Service, Inc., a Minnesota corporation;
Jane Does and John Does, Board of Directors of Kottkes'
Bus Service, Inc., individually and as agents of Kottkes'
Bus Service, Inc.; and, Charles M. Peterson, individually and
as President of Kottkes' Bus Service, Inc., National Interstate
Insurance Company, Rick Allen Weber, individually and as
Conservator and Guardian of Tammy Michele Weber; Cha Vang
for M.L.V., Kari Manning for J.M., Marla Reynoso, individually
and for A.M.C., Kelly McGinley, individually and for D.J.M.C.,
Jeremy LeMire, individually and for L.S.L., Julie Montgomery and
John Montgomery, individually and for D.D.M., and Kathy Koep,
individually and for A.K.K.

Defendants.

Pursuant to the Stipulation (Doc. No. 11), **IT IS ORDERED** that Plaintiff's
claims for declaratory relief against Defendants Julie Montgomery and John
Montgomery, individually and for D.D.M., are hereby **DISMISSED WITHOUT
PREJUDICE** and without costs to any party provided, however, that Plaintiff and
Defendants Julie Montgomery and John Montgomery, individually and for
D.D.M., shall each be bound by the final decision of this Court with regard to any
issues decided herein, as if Defendants Julie Montgomery and John Montgomery,

individually and for D.D.M., were each parties to this litigation at the time of the Court's final decision, this dismissal without prejudice, notwithstanding.

Dated: August 18, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge